

### REMARKS / ARGUMENTS

Claims 92-95 are pending in the present application. Of these, claim 92 is independent.

Claims 92-95 were rejected under 35 USC Section 112 as failing to comply with the enablement requirement related to the previously recited “generally cylindrical shape.” The drawings were also objected to for failing to show the claimed “generally cylindrical shape.” Although Applicants believe that the drawings and specification show and describe a generally cylindrical shape, the claims have been amended to delete reference to the “generally cylindrical shape.”

Claims 92-95 were rejected as being obvious over Acker et al. ('084) in view of Maguire et al ('288). Claims 92-95 were rejected as being obvious over Jenkins et al. ('199) in view of Sanghvi et al ('692).

### Discussion

Applicant submits that claim 92 is allowable over Acker in view of Maguire since neither Acker nor Maguire disclose or suggest “a body adapted to be positioned around a tissue structure to be ablated, the body forming a loop structure adapted to be placed around the tissue structure to be ablated” and “wherein the first, second and third ablating elements emit the focused ultrasound into the tissue structure around which the loop structure is adapted to be positioned around, the first, second and third ablating elements directing the focused ultrasound inward relative to the loop structure” (emphasis added). Acker and Maguire are both concerned with endovascular or endocardial ablation and, therefore, direct focused ultrasound radially outward rather than radially inward as claimed. Neither Acker nor Maguire disclose forming a closed loop and directing focused ultrasound inward relative to the loop. Maguire, for example, discloses a balloon catheter having an ultrasonic transducer mounted to a torquable member (803) within the balloon (820) (see Fig. 19b). The transducer produces a highly directional beam pattern which Maguire teaches to sweep through a 360 degree of rotation to form a circumferential lesion.

Amended independent claim 92 is also allowable over Jenkins in view of Sanghvi since Jenkins is directed to a catheter having a loop structure which directs energy radially outward rather than “inward relative to the loop structure” as claimed. Thus, even if it would have been obvious to provide Jenkins with the ultrasound elements of Sanghvi the resulting catheter would have

ultrasound elements directing focused ultrasound radially outward rather than radially inward since Jenkins and Sanghvi are both concerned with providing endovascular or endoluminal approaches. As such, Applicants submit that claim 92 is allowable over Jenkins in view of Sanghvi.

Thus, Applicant submits that none of the cited references disclose or suggest a body which forms a loop structure and a number of focused ultrasound ablating elements which direct the energy inward relative to the loop. Acker, Maguire, Jenkins and Sanghvi are all directed to endovascular or endocardial ablation methods and, as such, do not suggest loop structures which direct focused ultrasound inward relative to the loop.


Dependent claims 93-95 are allowable since they depend from allowable independent claim 92 and because they recite independently patentable features. For example, claim 95 recites that "the first, second and third ablating elements are movable along the body to create a continuous lesion along the body without moving the body" which is not disclosed or suggested by the cited references.

#### CONCLUSION

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-412-3322.

Respectfully submitted,

October 25, 2004  
Date

  
Jens E. Hoekendijk  
Reg. No. 37,149

Jens E. Hoekendijk  
P.O. Box 4787  
Burlingame, CA 94011-4787  
Tel.: 415-412-3322  
Fax: 650-871-7688